

E/0101/35/16

Alleged untidy and unsafe site at the Globe Inn, Appley, Stawley

OCCUPIER: THE GLOBE AT APPLEY LTD

OWNER: EXAMEX LTD
GLOBE INN, APPLEY, STAWLEY
WELLINGTON
TA21 0HJ

Purpose of Report

To consider whether it is expedient to serve a notice under:

- a) Section 215 of the Town and Country Planning Act 1990 requiring the condition of the land to be improved; or
- b) Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to secure urgent works to preserve an unoccupied listed building.

Recommendation

That no action is taken under either a) or b) at this time.

Site description

The Globe Inn, Appley originates in the seventeenth century and was added to the statutory list of buildings of special architectural or historic interest at Grade II in 1984. The barn on the north side of the Globe Inn, which is the subject of this report, is most likely nineteenth century in date and is regarded as listed by virtue of being attached to listed public house.

Background

The barn was noted as being in a poor state of repair in 1985. In May 2013 it had deteriorated to a point where it needed to be shored up with scaffold on the advice of TDBC Building Control.

In October 2013 applications were submitted for repair and a change of use to a holiday let. In line with local and national policy and guidance the proposed scheme was approved as it was considered that the long term future of this historic 'building at risk' would best be served by a change of use. In July 2014 the pre-commencement Condition 3 of listed building consent 35/13/0018/LB, for a sample panel, was satisfied (there were no pre-commencement conditions associated with the planning application (35/13/0017)).

In October 2014 Stawley Parish Council notified the TDBC Building Conservation Officer that work had stopped. The Building Conservation Officer was informed by the owner that work would recommence in spring 2015. Work recommenced on April 2015. In July 2015 Stawley Parish Council informed the Building Conservation Officer that work had again stopped. In July 2015 the Building Conservation Officer was informed by the owner that work would continue, using a phased approach, and be completed by March 2017.

Relevant planning history

Listed Building Consent and Planning Permission were approved on 13 December 2013 for partial demolition and rebuilding of the barn and conversion of first floor to one bedroom holiday let, alterations to storage area below and removal of canopy at the rear (35/13/0018/LB and 38/13/0017).

Development Plan Policies

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), saved policies of the Taunton Deane Local Plan (2004), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2004), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below. Policies from emerging plans are also listed; these are a material consideration.

CP8- Environment

Determining issues and considerations

Stawley Parish Council have requested that TDBC serves a Section 215 and/or a Section 54 notice on the owner due to the state of the site causing harm to the visual amenity of the area.

Officers from TDBC have been actively involved with this site from 2013 and regular monitoring visits have been made. The last monitoring visit by the Building Conservation Officer was made on 29 April 2016. Although work has currently ceased, it is not considered that the amenity of the land or the adjoining area is being adversely affected by the site. Serving a Section 215 notice would therefore not be an appropriate course of action at this time.

Urgent Works Notices are for emergency repairs to keep a building weather tight and safe from collapse and must constitute the minimum necessary to achieve this. The building, which is currently a shell, is deemed to be secure and given that the approved works are ongoing, such action is deemed unnecessary at this time. It is considered that an Urgent Works Notice could not introduce any additional

protection to the building beyond which that the owner has already put in place and serving a notice could not provide any additional protection.

It is not uncommon for such development to be completed over a long time period. In this particular case, the owner could have implemented the permissions anytime up until 13 December 2016. There is no time limit for completing the works once the permission has been implemented.

As the building is regarded as secure and not detrimental to the amenity of the area no further action is recommended at this time although the site will continue to be monitored.

In preparing this report the Enforcement Officer has considered fully the Implications and requirements of the Human Rights Act 1998

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